

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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ENTESAR OSMAN KASHEF, et al.,	<u>ORDER</u>
	:
Plaintiffs,	16 Civ. 3228 (AKH)
	:
-against-	:
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	:
BNP PARIBAS SA, et al.,	:
	:
Defendants.	:
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ALVIN K. HELLERSTEIN, U.S.D.J.:

The Court has received and reviewed the final report of Epiq (ECF No. 797), reporting on its notices, supplementary notices, opt-outs, opt-ins, and questionnaire responses in aggregate numbers. The Court finds that Epiq's work has provided "the best notice that is practicable under the circumstances," and that the requirements of Fed. R. Civ. P. 23(c)(2)(B) and of due process under the United States Constitution have been satisfied.

As to those who both opted out and opted in, the following rulings will apply, subject to objections that the parties may make on or before August 5, 2025, and rulings thereon:

1. Those who declared on the same day that they both opted-in and opted-out shall be deemed members of the class, since one cancels the other and it is as if the individual did not respond at all. *See* Fed. R. Civ. P. 23(c)(2).
2. As to those who opted-in and opted-out on different days, the later declaration supersedes the former. However, if thereafter a questionnaire was substantially completed and timely

submitted, an intention to participate in the class has been made manifest, and that person shall be deemed a member of the class.

SO ORDERED.

Dated: July 18, 2025
New York, New York

/s/ Alvin K. Hellerstein
ALVIN K. HELLERSTEIN
United States District Judge